

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Dee Brown, on February 13, 2017 at 3:00 PM, in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Dee Brown, Chair (R)
Sen. Douglas (Doug) Kary, Vice Chair (R)
Sen. Sue Malek (D)
Sen. Ryan Osmundson (R)
Sen. Frank Smith (D)
Sen. Nels Swandal (R)
Sen. Gordon Vance (R)
Sen. Lea Whitford (D)

Members Excused: None

Members Absent: None

Staff Present: Barbara Pietuch, Committee Secretary
Rachel Weiss, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 163, 2/6/2017; SB 178, 2/6/2017; SR 26, 2/7/2017; SR 158, 2/2/2017

Executive Action: SB 149 - Do Pass as Amended
HB 79 - Be Concurred In
HB 81 - Be Concurred In as Amended
HB 101 - Be Concurred In as Amended
HB 159 - Be Concurred In
SB 152 - Be Tabled

00:00:02 Chair Brown

00:01:09 Sen. Whitford entered the meeting.

00:01:20 Chair Brown turned the Chair over to Vice Chair Kary.

HEARING ON SR 26

Opening Statement by Sponsor:

00:01:36 Sen. Dee Brown (R), SD 2, opened the hearing on SR 26, Confirm Governor appointee for Director of Dept. of Administration.

Proponents' Testimony:

00:02:54 Shantil Siaperas, legislative analyst & communications specialist, Montana Association of Counties

EXHIBIT(sts31a01)

00:03:53 John Lewis, director, Department of Administration

00:09:55 Mike Manion, self, chief legal counsel, Department of Administration

00:12:32 Gary Forrester, self

00:13:18 Aimee Grmoljez, lobbyist, Montana Bankers Association

00:14:18 Tom Ebezry, self, attorney and lobbyist, Billings

00:15:29 Max Baucus, self, Belgrade

00:24:02 Ed Bartlett, self, attorney and lobbyist, Helena

00:25:30 Mark Baker, self, attorney

00:27:43 Virginia Tribe, mother of John Lewis

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:30:46 Sen. Brown

00:32:21 Sen. Osmundson left the meeting.

00:33:25 Sen. Brown resumed as Chair.

HEARING ON SB 158

Opening Statement by Sponsor:

00:33:32 Sen. Margaret (Margie) MacDonald (D), SD 26, opened the hearing on SB 158, Provide for Montana calendar observance of Juneteenth.

EXHIBIT(sts31a02)

Proponents' Testimony:

00:37:00 Robyn Driscoll, commissioner, Yellowstone County

EXHIBIT(sts31a03)

00:38:00 Melvin Terry, president, Black Heritage Foundation of Billings and Yellowstone County (BHF)

00:41:52 Paul Reeder, member, Black Heritage Foundation of Billings and Yellowstone County

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:46:37 Sen. Swandal

00:46:48 Sen. MacDonald

00:47:18 Sen. Swandal

00:47:30 Sen. MacDonald

00:47:43 Chair Brown

00:47:58 Sen. MacDonald

00:48:17 Sen. Malek

00:48:36 Sen. MacDonald

00:49:19 Sen. Malek

00:49:34 Mr. Terry, BHF

00:51:10 Chair Brown

Closing by Sponsor:

00:51:44 Sen. MacDonald

HEARING ON SB 163

Opening Statement by Sponsor:

00:53:27 Sen. Keith Regier (R), SD 3, opened the hearing on SB 163, Revise election judge qualifications.

Proponents' Testimony:

00:56:51 Derek Oestreicher, elections director, Secretary of State's Office

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:58:09 Sen. Malek
00:58:36 Sen. Regier
00:58:50 Chair Brown
00:58:56 Rachel Weiss, research analyst, Legislative Services Division (LSD)
00:59:27 Chair Brown
00:59:36 Ms. Weiss, LSD
00:59:59 Sen. Malek
01:00:42 Sen. Regier
01:01:00 Sen. Malek
01:01:22 Chair Brown
01:01:44 Sen. Whitford
01:02:10 Sen. Regier
01:02:40 Sen. Whitford
01:02:54 Sen. Regier

Closing by Sponsor:

01:03:41 Sen. Regier

HEARING ON SB 178

Opening Statement by Sponsor:

01:04:20 Sen. Nels Swandal (R), SD 30, opened the hearing on SB 178, Revise when a primary must be held for local nonpartisan offices..

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:06:13 Chair Brown
01:06:23 Sen. Swandal

Closing by Sponsor:

01:06:41 Sen. Swandal
01:07:03 Chair Brown
01:08:24 Recess
01:15:05 Reconvene

EXECUTIVE ACTION ON SB 149

01:15:08 **Motion:** Sen. Kary moved that **SB 149 DO PASS.**

Discussion:

01:15:19 Chair Brown

[**EXHIBIT**](#)(sts31a04)

01:15:46 **Motion:** Sen. Kary moved that **SB 149 BE AMENDED.**

Discussion:

01:15:55 Chair Brown

01:16:35 Rachel Weiss, research analyst, Legislative Services Division (LSD)

01:17:36 Sen. Swandal

01:17:50 Sen. Malek

01:18:05 Ms. Weiss, LSD

01:18:30 Chair Brown

01:18:47 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson voted by proxy.

01:19:21 **Motion/Vote:** Sen. Kary moved that **SB 149 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Sen. Osmundson voted by proxy.

EXECUTIVE ACTION ON SB 152

01:19:49 **Motion:** Sen. Kary moved that **SB 152 DO PASS.**

Discussion:

01:20:15 Chair Brown

[**EXHIBIT**](#)(sts31a05)

01:20:52 Rachel Weiss, research analyst, Legislative Services Division (LSD)

01:22:08 **Motion:** Sen. Kary moved that **SB 152 BE AMENDED.**

Discussion:

01:22:18 Sen. Swandal

01:22:29 Ms. Weiss, LSD

01:22:38 Sen. Whitford

01:22:46 Ms. Weiss

01:23:50 Sen. Whitford

01:24:09 Ms. Weiss

01:24:41 Sen. Malek

01:24:59 Chair Brown

01:25:21 Sen. Malek

01:25:43 Chair Brown
 01:25:52 Sen. Malek
 01:26:15 Chair Brown
 01:26:38 Ms. Weiss
 01:27:02 Sen. Swandal
 01:27:27 Chair Brown

01:27:33 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson voted by proxy.

01:27:56 **Motion:** Sen. Kary moved that **SB 152 DO PASS AS AMENDED.**

Discussion:

01:28:04 Sen. Swandal
 01:28:24 Ms. Weiss
 01:29:15 Chair Brown
 01:29:22 Ms. Weiss
 01:29:43 Sen. Vance
 01:30:17 Chair Brown
 01:30:23 Sen. Vance
 01:30:46 Sen. Kary
 01:30:53 Sen. Swandal
 01:30:58 Sen. Vance
 01:31:58 Chair Brown

01:32:50 **Vote:** Motion failed 2-6 by roll call vote with Sen. Malek and Sen. Whitford voting aye. Sen. Osmundson voted by proxy.

01:32:55 Sen. Swandal left the meeting.

01:33:58 **Motion/Vote:** Sen. Kary moved that **SB 152 BE TABLED AND THE VOTE REVERSED.** Motion carried 6-2 by voice vote with Sen. Malek and Sen. Whitford voting no. Sen. Osmundson and Sen. Swandal voted by proxy.

EXECUTIVE ACTION ON HB 79

01:35:00 **Motion:** Sen. Kary moved that **HB 79 BE CONCURRED IN.**

Discussion:

01:35:17 Rachel Weiss, research analyst, Legislative Services Division
 01:35:51 Chair Brown

01:36:12 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson and Sen. Swandal voted by proxy. Sen. Swandal will carry the bill.

EXECUTIVE ACTION ON HB 81

01:36:46 **Motion:** Sen. Kary moved that **HB 81 BE CONCURRED IN.**

01:37:15 **Motion:** Sen. Kary moved that **HB 81 BE AMENDED.**
[EXHIBIT](#)(sts31a06)

Discussion:

01:37:26 Chair Brown

01:37:48 Sen. Swandal entered the meeting.

01:37:54 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson voted by proxy.

01:38:25 **Motion:** Sen. Kary moved that **HB 81 BE CONCURRED IN AS AMENDED.**

Discussion:

01:38:37 Chair Brown

01:39:23 **Vote:** Motion carried 7-1 by voice vote with Sen. Malek voting no. Sen. Osmundson voted by proxy. Sen. Brown will carry the bill.

01:39:59 Sen. Malek

EXECUTIVE ACTION ON HB 101

01:40:22 **Motion:** Sen. Kary moved that **HB 101 BE CONCURRED IN.**

01:41:00 **Motion:** Sen. Kary moved that **HB 101 BE AMENDED.**
[EXHIBIT](#)(sts31a07)

Discussion:

01:41:17 Rachel Weiss, research analyst, Legislative Services Division (LSD)

01:42:07 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson voted by proxy.

01:42:29 **Motion:** Sen. Kary moved that **HB 101 BE CONCURRED IN AS AMENDED.**

Discussion:

01:42:41 Chair Brown

01:42:52 Ms. Weiss, LSD

01:43:37 Chair Brown

01:44:20 Sen. Swandal

01:44:45 Chair Brown

01:44:57 **Vote:** Motion carried 7-1 by voice vote with Sen. Vance voting no. Sen. Osmundson voted by proxy. Sen. Malek will carry the bill.

01:45:28 Sen. Swandal

EXECUTIVE ACTION ON HB 159

01:46:11 Chair Brown

01:46:33 **Motion:** Sen. Kary moved that **HB 159 BE CONCURRED IN.**

Discussion:

01:46:41 Chair Brown

01:46:52 Sen. Swandal

01:47:29 Sen. Vance

01:47:38 Chair Brown

01:48:11 Sen. Swandal

01:48:17 Sen. Whitford

01:49:16 Chair Brown

01:49:41 Sen. Whitford

01:50:20 Chair Brown

01:50:27 Rachel Weiss, research analyst, Legislative Services Division (LSD)

01:51:15 Chair Brown

01:51:39 Ms. Weiss, LSD

01:52:15 Chair Brown

01:52:37 Sen. Whitford

01:53:25 Chair Brown

01:53:30 Sen. Smith

01:53:58 Chair Brown

01:54:16 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson voted by proxy. Sen. Jones will carry the bill.

01:55:24 Chair Brown

ADJOURNMENT

Adjournment: 4:58 PM

Barbara Pietuch, Secretary

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Additional Documents:

EXHIBIT([sts31aad.pdf](#))